

Ordinance 64-12

An Ordinance of Supplemental Appropriation for Economic Development of the Corporate Commission and Permanent Initiative for District 1 – Legislative Powwow of the Mille Lacs Tribal Government for Fiscal Year ending September 30, 2012.

The District 1 Representative introduced the following Bill on the 29th day of May, 2012.

Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe for the purpose of appropriating for Economic Development for the fiscal year ending September 30, 2012.

Title I

Section 1: Governmental Operations. The Band Assembly hereby appropriates and authorizes expenditures for Economic Development of the Corporate Commission and Permanent Initiative for District 1 – Legislative Powwow for fiscal year ending September 30, 2012.

Section 1.01: Amendment to Section 1.02. The Band Assembly hereby appropriates and authorizes the expenditures of: One million seven hundred five thousand seven hundred fifty eight dollars and no cents (\$1,705,758.00) for the expansion of Grand Market and Woodlands National Bank under **Economic Development of the Corporate Commission** which amends the **Total Fiscal Year 2012 Economic Development** to read: Seven million five hundred five thousand seven hundred fifty eight dollars and no cents (\$7,505,758.00); and

Fifty thousand dollars and no cents (\$50,000.00) for Legislative - D1 Powwow shower building under **Permanent Initiative** which amends the **Total Fiscal Year 2012 Tribal Operations** to read: Eleven million forty eight thousand three hundred six dollars and thirty cents (\$11,048,306.30).

Section 1.02: Amendment to Section 1.03. The Band Assembly hereby appropriates and authorizes the expenditure of supplemental programmatic funds for the following:

<u>Tribal Operation Fiscal Year 2012</u>	<u>Supplemental</u>	<u>Amended Amount</u>
Economic Development Expansion of Grand Market and Woodlands National Bank	\$1,705,758.00	\$7,505,758.00
Permanent Initiative Legislative - D1 Powwow Shower Building	\$ 50,000.00	\$11,048,306.30

Section 1.03: The Band Assembly hereby authorizes Commissioners to approve budgetary transfers within programs up to **\$10,000.00** provided that the transfers are allowable under grant provisions, if applicable and that sufficient funds are available for the transfer. For transfers over **\$10,000.00**, the Band Assembly hereby authorizes the Administration Policy Board to approve budget transfers within programs of up to 50% of the total programs budget within a given budget line if the program is under \$100,000.00 and up to 20% if the program is **\$100,000.00** or greater.

Section 1.04 All funds appropriated for capital construction projects shall be appropriated to align with the project length so as to automatically carry-over to the next fiscal year if appropriated funds remain and if the project is not completed within Fiscal Year 2012. If, for any reason, the project length runs over the contracted period for construction causing construction costs to exceed the appropriated amount, a written Change Order shall immediately be routed to the Band Assembly for appropriate action.

If any funds that are not expended for the purposes identified, unspent funds shall be returned to the Band Government's Economic Development fund.

Ordinance 64-12

Introduced to the Band Assembly on this
Twenty Ninth day of May in the year
two-thousand twelve.

Passed by the Band Assembly on this
Twenty Ninth day of May in the year
two-thousand twelve.



Curt Kalk, Speaker of the Assembly

APPROVED

Date: 5-30-12



Marge Anderson, Chief Executive

OFFICIAL SEAL OF THE BAND

Sandi Blake

From: Ginger Weyaus
Sent: Friday, May 25, 2012 11:01 AM
To: Sandi Blake
Cc: Cyrilla Bauer; Carla Big Bear; Molly Judkins; Kim84@frontiernet.net
Subject: Sad News - Pow Wow

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I just met with Community Development and Pow Wow Committee at 10am today. After Mike and Travis from Community Development reviewed the pow wow renovation project, they felt that we first need to design a safe, structurally sound arena and seating area. They felt that we need to design this right so that we don't have a fallen roof issue in the future. We currently have funds available in our pow-wow budget to cover the cost of the design phase. I think Cyrilla stated that there is \$10,000 available in construction. This may cover the cost of the structural engineer contract.

We would like to request an additional \$50,000 to cover the cost of the shower building. The shower building is in need of repair, it is not a hospitable or welcoming building for our visitors. Travis stated that they could design the renovation in-house and create bid documents for the project. They will be looking at the electrical issues also for the RV areas and the vendor areas.

As of today, the shower renovation gives us 12 weeks to complete. If we can get the contract approval process completed in a timely manner, we would be able to have the shower building renovated by pow wow weekend. This summer we will design the pow-wow arena upgrades. This fall we will request an appropriation to cover the cost of the upgrades. Next spring/summer, we will plan on constructing the new arena, with accessible seating for elders and new seating for visitors.

Would you be available to attend our June 5th pow wow committee meeting at the Government center at 12noon?

Ginger Weyaus, HHS Executive Director
Mille Lacs Band of Ojibwe
43500 Migizi Drive
Onamia, MN 56359
Office: 320-532-4760
Fax: 320-532-7495

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CORPORATE COMMISSION
of the Mille Lacs Band of Ojibwe Indians

May 24, 2012

Marge Anderson, Chief Executive
Curt Kalk, Secretary Treasurer
Sandra Blake, District I Representative
Marvin Bruneau, District II Representative
Diane Gibbs, District III Representative

Mille Laes Band of Ojibwe Indians
43408 Oodena Drive
Onamia, MN 56359

Dear Distinguished Members:

Pursuant to our presentation to the Band Assembly on Thursday, May 17, 2012, I am requesting funding for the expansion of the Woodlands National Bank – Grand Market Branch.

As outlined in the presentation, we are proposing to expand the Grand Market to the north and then expand the Woodlands Bank within the current market space. We are also proposing to include a bakery as part of the build-out for Grand Market. I have attached a copy of the proposed floor layout.

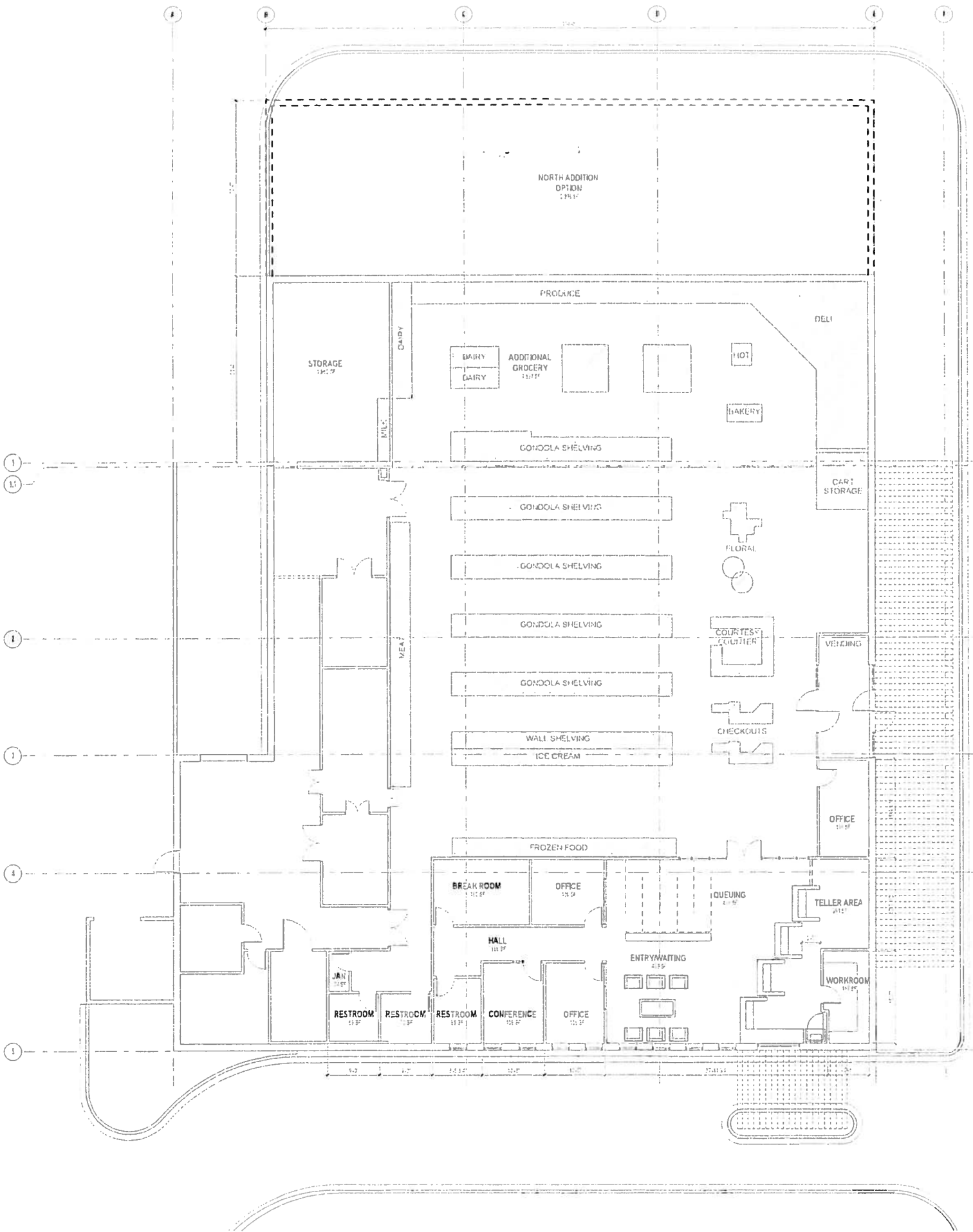
In preparation of this funding request we discovered that a number of items were not included in the estimate I provided you at the Band Assembly meeting. After a full analysis, **our funding request is \$1,705,758.00**. I have attached the detail substantiating our request.

I would recommend that, if approved by the Band, the funding be forwarded as soon as practical so we can begin the project during this construction season.

Respectfully submitted,

Gail T. Kulick
Commissioner of Corporate Affairs

CC: John Gerdener, Commission of Finance
Glenn Carnahan, Director of Finance and Non-Gaming Business Operations



1 FLOOR PLAN OPTION 1

Woodlands National Bank - Grand Mariat Branch

Grand Market / Woodlands Bank Expansion

Main Construction

Scoping Services Paid to date	\$	7,500.00	
Grand Market Expansion	\$	1,216,209.00	(includes a combined 13% contingency for construction and design)
Woodlands Expansion	\$	378,612.00	(includes a combined 13% contingency for construction and design)
Estimated Inspections	\$	15,000.00	
	\$	1,617,321.00	

Bakery Buildout

Bakery Equipment	\$	31,387.00	
Additional Coolers / Sinks	\$	44,050.00	
Contingency for miscellaneous equipment	\$	13,000.00	
	\$	88,437.00	

Total Appropriation Request \$ 1,705,758.00

OWNER:
PROJ:
LOC.:
TITLE:

Corporate Commission of Mille Lacs Band of Ojibwe Indians
Grand Market / Woodlands Bank Expansion
Onamia, MN

2-Feb-12
Revised 17-Feb-12

LEO A DALY

CONCEPT PROJECT BUDGET ESTIMATE
BANK EXPANSION SOUTH
BASE BUILDING

NEW SQ FT
UPDATED SQ FT
NEW SQ FT
TOTAL SQ FT 3,258

Low Range

DESCRIPTION	COST/ BUILDING	COST SF	SUB TOTAL	PERCENT TOTAL
ADMINISTRATION			\$5,000	0.41%
LEGAL, FISCAL & ADMINISTRATIVE				0.00%
LAND ACQUISITION				0.00%
LAND SALE - EXISTING STRUCTURES				0.00%
SOIL BORINGS	\$3,000			0.25%
SURVEY	\$2,000			0.16%
MOVING				0.00%
CONSTRUCTION COSTS		\$305.87	\$996,519	81.94%
See Attached Construction Backup				
FEES		\$21.42	\$69,772	5.74%
A/E DESIGN AND BIDDING FEES	\$64,772			5.33%
LANDSCAPE / CIVIL ENGINEERING (IN ABOVE)				0.00%
DETAILED COST ESTIMATING	\$3,000			0.25%
SECURITY CONSULTANT	\$0			0.00%
REIMBURSABLE EXPENSES	\$1,000			0.08%
SPECIAL INSPECTIONS AND TESTING	\$0			0.00%
CITY / STATE PLAN REVIEW FEES & PERMITS	\$0			0.00%
CITY SAC/WAC (Allowance)	\$0			0.00%
TELECOM/DATA	\$1,000			0.08%
FURNISHINGS, FIXTURES & EQUIPMENT (FF&E)		\$0.00	\$0	0.00%
OFFICE FURNITURE ALLOWANCE				0.00%
CONFERENCE/TRAINING FURNITURE				0.00%
LOBBY/LOUNGE & SUPPORT FURNITURE ALLOWANCE				0.00%
EQUIPMENT-TV/OFFICE MACHINES ALLOWANCE	\$0			0.00%
FF&E DESIGN FEES	\$0			0.00%
TECHNOLOGY		\$1.53	\$5,000	0.41%
DATA / TELEPHONE ALLOWANCE	\$0			0.00%
AUDIO/VISUAL SYSTEMS ALLOWANCE				0.00%
SECURITY SYSTEMS / ACCESS CONTROL ALLOWANCE	\$5,000			0.41%
RADIO / CELL PHONE BOOSTER				0.00%
CONTINGENCY		\$0.89	\$139,918	11.50%
DESIGN (3%)	\$32,289			2.65%
PROJECT (10%)	\$107,629			8.85%
FINANCING		\$0.00	\$0	0.00%
BOND ISSUANCE COSTS				0.00%
INVESTMENT EARNINGS				0.00%
SUB- TOTAL 2012		\$373.30	\$1,216,209	100.00%
Annual Escalation at 5% inflation, at end of build year			\$60,810	
GRAND TOTAL - FY 2013		\$391.96	\$1,277,019	
GRAND TOTAL - FY 2014		\$410.63	\$1,337,830	
GRAND TOTAL - FY 2015		\$429.29	\$1,398,640	

OWNER: Corporate Commission of Mille Lacs Band of Ojibwe Indians
 PROJ: Grand Market / Woodlands Bank Expansion
 LOC: Onamia, MN
 TITLE:

2-Feb-12
 Revised 17-Feb-12

LEO A DAILY

		NEW SQ FT			
		UPDATED SQ FT			
		NEW SQ FT			
		TOTAL SQ FT		2,250	
Low Range					
DESCRIPTION	COST/ BUILDING	BUILDING SF	COST SF	SUB TOTAL	PERCENT TOTAL
ADMINISTRATION		2,250		\$0	0.00%
LEGAL, FISCAL & ADMINISTRATIVE					0.00%
LAND ACQUISITION					0.00%
LAND SALE - EXISTING STRUCTURES					0.00%
SOIL BORINGS					0.00%
SURVEY					0.00%
MOVING					0.00%
CONSTRUCTION COSTS		2,250	\$132.80	\$298,805	78.92%
See Attached Construction Backup					
FEES		2,250	\$4.33	\$9,750	2.58%
A/E DESIGN AND BIDDING FEES	\$7,500				1.98%
LANDSCAPE / CIVIL ENGINEERING (IN ABOVE)					0.00%
DETAILED COST ESTIMATING					0.00%
SECURITY CONSULTANT	\$2,000				0.53%
A/V CONSULTANT					0.00%
REIMBURSABLE EXPENSES	\$250				0.07%
CITY / STATE PLAN REVIEW FEES & PERMITS					0.00%
TELECOM/DATA					0.00%
FURNISHINGS, FIXTURES & EQUIPMENT (FF&E)		2,250	\$8.89	\$20,000	5.28%
OFFICE FURNITURE ALLOWANCE	\$6,000				1.58%
CONFERENCE FURNITURE	\$4,000				
BANK EQUIPMENT ALLOWANCE	\$5,000				1.32%
LOBBY/LOUNGE & SUPPORT FURNITURE ALLOWANCE	\$3,000				0.79%
EQUIPMENT-TV/OFFICE MACHINES ALLOWANCE	\$0				0.00%
FF&E DESIGN FEES	\$2,000				0.53%
TECHNOLOGY		2,250	\$2.89	\$6,500	1.72%
	\$0				0.00%
DATA / TELEPHONE ALLOWANCE	\$2,000				0.53%
AUDIO/VISUAL SYSTEMS ALLOWANCE	\$2,000				0.53%
SECURITY SYSTEMS / ACCESS CONTROL ALLOWANCE	\$2,500				0.66%
RADIO / CELL PHONE BOOSTER					0.00%
CONTINGENCY		157,082	\$0.28	\$43,557	11.50%
DESIGN (3%)	\$10,052				2.65%
PROJECT (10%)	\$33,506				8.85%
FINANCING		2,250	\$0.00	\$0	0.00%
BOND ISSUANCE COSTS					0.00%
INVESTMENT EARNINGS					0.00%
SUB-TOTAL 2012		2,250	\$168.27	\$378,612	100.00%
Annual Escalation at 5% inflation, at end of build year	4.00%			\$18,931	
GRAND TOTAL - FY 2012		2,250	\$176.69	\$397,543	
GRAND TOTAL - FY 2013		2,250	\$185.10	\$416,473	
GRAND TOTAL - FY 2014		2,250	\$193.51	\$435,404	

Date



5/22/2012

To:
Nash Finch Company
Andy Clark
7600 France Avenue
Edina MN 55435
(952) 838-1685 (Contact)
andrew.clark@nashfinch.com

Project:
Nash-Grand Market

From:
Horizon Equipment
Heather Farrell
1960 Seneca Rd.
Eagan MN 55122
(651) 452-9118 (Phone)



Project Code: NASH_GRA

Item	Qty	Description	Sell	Sell Total
1	1 ea	CONVECTION OVEN, GAS	\$8,989.71	\$8,989.71
		 LBC Bakery Eq Model No. LMO-G Packed: ea BakerSeries Mini Rotating Rack Oven, gas, single, full view double pane door window, vertiflow heat exchanger, built in steam system, 150 lb thermal mass, stainless steel construction, NEMA 5-15P, 90,000 BTU, cETL		
	1 ea	1 yr. parts & labor warranty, continental USA, Hawaii & Canada (std)		
	1 ea	For water treatment requirements, please refer to warranty sheet		
	1 ea	Gas type to be specified		
	1 ea	Voltage to be verified with jobsite		
	1 ea	LMO-P Proofer Base, for LMO mini rack oven	\$3,447.02	\$3,447.02
	Class: 85	Weight: 1475 lbs total		
			ITEM TOTAL:	\$12,436.73
2	1 ea	BREAD SLICER	\$3,232.04	\$3,232.04
		 JAC Machines Model No. PICO450 Packed: ea Bread Slicer, table-top, manual, max. loaf size 17-3/8"L x 11-7/8"W x 6-1/4"H, traction lever, .49kw		
	1 ea	Limited Warranty: 3-year limited parts & labor warranty, standard		
	Class: 85	Weight: 275 lbs total		

Horizon Equipment

Date




5/22/2012

Item	Qty	Description	Sell	Sell Total
3	1 ea	FOOD MIXER  Globe Model No. SP20 Packed: ea Planetary Mixer, 20 qt., bench model, 3-speed, #12 hub, incl; removable s/s safety guard, bowl, spiral dough hook, whip & beater, rigid cast iron body, safety interlocked bowl guard & bowl lift, gear driven transmission, 15 min. timer, NSF, ETL, 1/2 HP, 6 ft cord & plug	\$2,538.42	\$2,538.42
	1 ea	2 year parts (excludes wear/expendable parts), 1 year labor warranty - CONTACT FACTORY FOR DETAILS		
	1 ea	115v/60/1-ph, 10 amps		
	Class: 85	Weight: 270 lbs total		
4	1 ea	SHEET PAN 18X26 Custom Model No. 6001-23 18X26 SHEET PAN Packed: ea New 18X26 Sheet Pan 16 Gauge	\$9.16	\$9.16
		Note if you purchase 500 each your cost is \$8.05		
5	1 ea	REFRIGERATOR, REACH-IN  Hoshizaki Model No. CR2B-FS Packed: ea Commercial Series Refrigerator, Reach-in, Two-Section, 51.0 cu.ft., Self-Contained Refrig System, stainless steel exterior front & sides, standard depth, full height solid hinged door, w/(6) standard shelves, (4) 4" heavy duty casters (2 with brakes), R-134A refrigerant, 1/3 hp, ENERGY STAR® qualified	\$2,876.15	\$2,876.15
	1 ea	2-Year parts & labor on entire machine		
	1 ea	5-Year parts on compressor		
	1 ea	115v/60/1-ph 7.0 amps, NEMA 5-15P		
	1 ea	Door hinge on right, std.		
	1 ea	Left door hinge on left, std.		
	Class: 110	Weight: 600 lbs total		

Horizon Equipment

Date




5/22/2012

Item	Qty	Description	Sell	Sell Total
6	1 ea	FREEZER, REACH-IN	\$3,333.72	\$3,333.72
		Hoshizaki Model No. CF2B-FS Packed: ea Commercial Series Freezer, Reach-in, Two-Section, 51.0 cu.ft., Self-Contained Refrig System, stainless steel exterior front & sides, standard depth, full height solid hinged doors, w/(6) standard shelves, (4) 4" heavy duty casters (2 with brakes), R-404A refrigerant, 3/4 hp, ENERGY STAR® qualified		
	1 ea	2-Year parts & labor on entire machine		
	1 ea	5-Year parts on compressor		
	1 ea	115v/60/1-ph 11.1 amps, NEMA 5-15P		
	1 ea	Door hinge on right, std.		
	1 ea	Left door hinge on left, std.		
	Class: 110	Weight: 600 lbs total		
7	1 ea	HEAT SEAL MACHINE	\$318.66	\$318.66
		Alfa International Model No. 625A Packed: ea Heat Seal Wrapper, for film wrapping packages with hot rod cut-off, 22-1/4"W x 29"L x 5"H, one roll capacity, with mounting axle, maximum film size 18" wide, front mounted 6" x 15" hot plate, s/s and aluminum construction, 115v/60/1-ph, USDA and UL approved, film roll NOT included		
		Weight: 30 lbs total		
8	1 ea	STAND-UP PASTRY MERCHANDISER	\$2,555.12	\$2,555.12
		Spartan Showcase Model No. 99370-40 Packed: ea Self-Service Pastry Merchandiser, stand-up type, 39-1/4"W, aluminum frame, glass ends, aluminum framed, tempered glass, self-closing hinged doors, (4) white wire shelves, adjustable bag bins, side lights with lamps & shields, (2) air vents, solid back, UL		
	1 ea	120v/60/1-ph, 12 inch cord w/plug & switch, std.		
	1 ea	White laminate exterior finish, std.		
	1 ea	9000 Lower Front Storage Doors, in base	\$164.14	\$164.14
	1 ea	9275 Removable Bag Ledge, 10" wide	\$240.41	\$240.41
	1 ea	9245 6" Swivel Casters	\$198.28	\$198.28
	Class: 125	Weight: 500 lbs total		
			ITEM TOTAL:	\$3,157.95

Horizon Equipment

Date

5/22/2012

Item	Qty	Description	Sell	Sell Total
9	1 ea	SELF-SERVICE WALL CASE  Spartan Showcase Model No. 99058 Packed: ea Self-Service Wallcase, 58-1/2"W, self-closing, frameless glass doors, (15) pan capacity, (4) white wire shelves, top & under shelf lights with lamps & shields, lower front panel, pullout package ledge with tissue compart., adjustable bag bins, (3) air vents in top, UL 1 ea 120v/60/1-ph, 12 inch cord w/plug & switch, std. 1 ea White exterior finish, std. Class: 125 Weight: 710 lbs total	\$3,271.98	\$3,271.98
10	1 ea	BUN PAN RACK  Win-Holt Equipment Group Model No. AL-1820B Packed: ea Mobile Pan Rack, full height, open sides, with slides for (40) 14" x 18" or (20) 18" x 26" sheet pan capacity, welded angle-type aluminum frame, end loading, 5" casters, NSF Class: 250 Weight: 48 lbs total	\$165.08	\$165.08
11	1 ea	LOAF PAN  Chicago Metallic Model No. 44245 Packed: 6 ea Bread Pan Set, #42-4, 9-7/32" x 21-7/8" x 2-3/4" overall, 4-on, wire in rim, 26 gauge aluminized steel, glazed Class: 65 Weight: 6 lbs total	\$31.62	\$31.62
12	1 ea	FIBERGLASS Custom Model No. DISPLAY Packed: ea Fiberglass 18x26 Display Trays: Horizon Stocks, Yellow, black and white other color choices available upon request.	\$15.40	\$15.40
Total				\$31,386.91

Terms and Conditions

1) Unless otherwise noted, price does not include freight, installation, ventilation, mechanical connections, or tax. Unless otherwise noted, this quote is good for 30 days.

2) All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delay beyond our control. The Owner is to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. This quote is subject to change upon final approved drawings and equipment list.

No party shall be liable for any failure or delay in performance under this agreement to the extent that said failures or delays are proximately caused by causes beyond that party's reasonable control and occurring without its fault or negligence, including and without limitation, failure of suppliers, subcontractors, carriers, acts of nature (including fire, flood, earthquake, storm, hurricane, or other natural disaster), war, invasion, acts of foreign enemies, hostilities (whether war is declared or not), civil war, rebellion, revolution, insurrection, military (or usurped power or confiscation), terrorist

Initial: _____

Horizon Equipment

Date

5/22/2012

activities, nationalization, government sanction, blockage, embargo, labor dispute, strike, lockout, or interruption or failure of electricity (or telephone services), provided that, as a condition to the claim of non-liability, the party experiencing the difficulty shall give the other prompt written notice, with full details following the occurrence of the cause relied upon. Dates by which performance obligations are scheduled to be met will be extended for a period of time equal to the time lost due to any delay so caused. Any unforeseen problems will be charged at time and materials.

In the event delay in shipment is caused by Buyer or at the Buyer's request, Horizon Equipment LLC may invoice equipment ready and payment shall be made in accordance with the stated payment schedule and storage charges for the period of delay until the shipment is requested by the Buyer.

3) Customer will also need to have all mechanical hook ups done by qualified contractors (gas, water, exhaust, electrical, and drain.) also any changes from the plan will require a change order be completed by the customer and are subject to additional charges. All service connections (electricity, vents, gas, water drains), licenses and permits to be per local codes. Specs are given in advance and are expected to be followed per local codes. NOTE: Gas must have manufacturer pipe size and water column pressure to function according to manufacturer specifications.

4) Buyer grants and Seller retains a security interest in any and all equipment delivered pursuant to this proposal including but not limited to the items specified herein. Buyer agrees that if payment is not made on the due date interest will accrue at a rate of 21%. Buyer also agrees to pay for all costs of collection, including reasonable attorney fees in the event of default under the terms of this agreement.

Acceptance of Proposal

The above prices specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

_____ (SIGNATURE)

_____ (DATE)

Acceptance: _____ Date: _____

Printed Name: _____

Bakery Buildout
Additional Coolers / Sinks

8x10 Cooler	\$	12,000.00
8x10 Freezer	\$	12,000.00
Refrigeration System	\$	11,000.00
3 compartment sink	\$	1,450.00
Hand Sink	\$	200.00
5 ft cake cooler	\$	7,000.00
Bakery nesting tables	\$	400.00
	\$	44,050.00 *

*Estimated by Nash Finch Equipment Buyer